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**U. S. District Court
Eastern District of Louisiana (New Orleans)
CIVIL DOCKET FOR CASE #: 2:10-cv-04602-CJB-DEK**

Navarro Hernandez v. U.S. Customs and Border Patrol
Assigned to: Judge Carl Barbier
Referred to: Magistrate Judge Daniel E. Knowles, III
Cause: 05:552 Freedom of Information Act

Date Filed: 12/22/2010
Date Terminated: 02/08/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Joaquin Navarro Hernandez

represented by **Jennifer Jean Rosenbaum**
New Orleans Workers' Center for Racial Justice
217 N. Prieur St.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jessica Karp
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ATTORNEY TO BE NOTICED

V.

Defendant

**United States Customs and Border
Protection Agency**

represented by **Brock Darren Dupre**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/22/2010	<u>1</u>	COMPLAINT against U.S. Customs and Border Patrol Protection Agency. (Filing fee \$ 350 receipt number 053L-2747549) filed by Joaquin Navarro Hernandez. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons)(Rosenbaum, Jennifer) Modified text on 12/23/2010 (sek,). (Entered: 12/22/2010)
12/22/2010	2	Initial Case Assignment to Judge Carl Barbier and Magistrate Judge Daniel E. Knowles, III. (cl,) (Entered: 12/22/2010)
12/23/2010	3	Correction of Docket Entry by Clerk re <u>1</u> Complaint; Parties should be entered & Summons should be prepared with party's name as spelled in caption of complaint. (sek,) (Entered: 12/23/2010)
12/23/2010	<u>4</u>	Summons Issued as to United States Customs and Border Protection Agency. (sek,) (Entered: 12/23/2010)
12/27/2010	<u>5</u>	Request of Summons Issued as to United States Customs and Border Protection Agency filed by Joaquin Navarro Hernandez re <u>1</u> Complaint,. (Rosenbaum, Jennifer) (Entered: 12/27/2010)
12/27/2010	<u>6</u>	Request of Summons Issued as to United States Customs and Border Protection Agency filed by Joaquin Navarro Hernandez re <u>1</u> Complaint,. (Rosenbaum, Jennifer) (Entered: 12/27/2010)
12/27/2010	<u>7</u>	Summons Issued as to US Attorney and US Attorney General. (Attachments: # <u>1</u> Summons)(mmm,) (Entered: 12/27/2010)

01/07/2011	8	STRICKEN per Order dated 1/20/2011. DEFICIENT: EXPARTE/CONSENT MOTION to Appear Pro Hac Vice <i>for Attorney Jessic Karp</i> (Filing fee \$ 5 receipt number 053L-2762847) by Joaquin Navarro Hernandez. (Attachments: # 1 Certificate of Good Standing, # 2 Affidavit of Attorney, # 3 Proposed Order) (Rosenbaum, Jennifer) Modified on 1/10/2011 (mmm,). Modified on 1/20/2011 (mmm,). (Entered: 01/07/2011)
01/07/2011	9	MOTION for Preliminary Injunction by Joaquin Navarro Hernandez. Motion Hearing set for 2/2/2011 9:30 AM before Judge Barbier. (Attachments: # 1 Memorandum in Support, # 2 Affidavit, # 3 Notice of Hearing, # 4 Proposed Order) (Rosenbaum, Jennifer) Modified on 1/11/2011 to reset motion before Judge Barbier (sek,). (Entered: 01/07/2011)
01/07/2011	10	EXPARTE/CONSENT MOTION to Expedite <i>Plaintiff's Motion for Preliminary Injunction</i> by Joaquin Navarro Hernandez. (Attachments: # 1 Proposed Order) (Rosenbaum, Jennifer) Modified on 1/11/2011 to reset hearing before Judge Barbier (sek,). (Entered: 01/07/2011)
01/10/2011	11	Correction of Docket Entry by Clerk re 9 MOTION for Preliminary Injunction. This motion will be decided by the magistrate judge. Clerk took corrective action. (mmm,) (Entered: 01/10/2011)
01/10/2011	12	Correction of Docket Entry by Clerk re 10 MOTION to Expedite <i>Plaintiff's Motion for Preliminary Injunction</i> , 9 MOTION for Preliminary Injunction. This motion will be decided by the magistrate judge. Clerk took corrective action. Also, document contains incorrect Section. All future pleadings must reflect Section "J", Carl Barbier. (mmm,) (Entered: 01/10/2011)
01/11/2011	13	Correction of Docket Entry by Clerk re 10 MOTION to Expedite <i>Plaintiff's Motion for Preliminary Injunction</i> , 9 MOTION for Preliminary Injunction; Upon direction from chambers both motions will be decided by Judge Barbier. (sek,) (Entered: 01/11/2011)
01/11/2011	14	ORDER granting 10 MOTION to Expedite on <i>Plaintiff's Motion for Preliminary Injunction</i> . FURTHER ORDERED that Defendant must file any memoranda in opposition to 9 MOTION for Preliminary Injunction by January 12, 2011, at 4:00 p.m. The Court will consider Plaintiff's Motion for Preliminary Injunction at that time. Signed by Judge Carl Barbier on 1/11/2011.(mmm,) (Entered: 01/11/2011)
01/12/2011	15	ORDER: Telephone Conference set for 1/12/2011 02:50 PM before Judge Carl Barbier. Signed by Judge Carl Barbier on 1/12/11.(sek,) (Entered: 01/13/2011)

01/12/2011	<u>16</u>	Minute Entry for proceedings held before Judge Carl Barbier: Status Conference held on 1/12/2011. During the conference, the parties informed the Court of the status of Defendant's response to Plaintiff's Freedom of Information Act requests. The parties will continue their efforts and inform the Court of any further developments. (mmm,) (Entered: 01/13/2011)
01/13/2011	<u>17</u>	ORDER: In Chambers Status Conference set for 1/20/2011 10:00 AM before Judge Carl Barbier. Signed by Judge Carl Barbier on 1/13/2011.(mmm,) (Entered: 01/13/2011)
01/20/2011	<u>18</u>	ORDER striking <u>8</u> MOTION to Appear Pro Hac Vice <i>for Attorney Jessic Karp</i> . Signed by Judge Carl Barbier.(mmm,) (Entered: 01/20/2011)
01/20/2011	<u>19</u>	Minute Entry for proceedings held before Judge Carl Barbier: Status Conference held on 1/20/2011. ORDERED that Defendant shall provide a search affidavit and a Vaughn index to Plaintiff, as well as file these documents into the record, by February 3, 2011. FURTHER ORDERED that Plaintiff shall provide his response to Defendant, as well as file the response into the record, by February 17, 2011. An in-chambers Status Conference set for 2/24/2011 03:30 PM before Judge Carl Barbier. (mmm,) (Entered: 01/20/2011)
01/27/2011	<u>20</u>	NOTICE by Joaquin Navarro Hernandez <i>of Change in Immigration Court Hearing Date</i> . (Rosenbaum, Jennifer) (Entered: 01/27/2011)
01/27/2011	<u>21</u>	DEFICIENT: EXPARTE/CONSENT Amended MOTION to Appear Pro Hac Vice <i>filed on behalf of Jessica Karp</i> (Fee previously paid) by Joaquin Navarro Hernandez. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Certificate of Good Standing, # <u>3</u> Proposed Order) (Rosenbaum, Jennifer) Modified on 1/28/2011 (mmm,). (Entered: 01/27/2011)
01/27/2011	<u>22</u>	ANSWER to <u>1</u> Complaint, by United States Customs and Border Protection Agency. (Dupre, Brock) (Entered: 01/27/2011)
02/03/2011	<u>23</u>	Declaration by United States Customs and Border Protection Agency (Dupre, Brock) (Entered: 02/03/2011)
02/04/2011	<u>24</u>	DEFICIENT: AFFIDAVIT of Jessica Karp re Notice of Deficient Filing, <i>Notarized Affidavit in Support of Pro Hac Vice Application</i> (Rosenbaum, Jennifer) Modified on 2/4/2011 (sek,). (Entered: 02/04/2011)
02/07/2011	<u>25</u>	EXPARTE/CONSENT Amended MOTION to Appear Pro Hac Vice (Fee previously paid) by Joaquin Navarro Hernandez. (Attachments: # <u>1</u> Affidavit, # <u>2</u> certificate of good standing, # <u>3</u> Proposed Order)(Rosenbaum, Jennifer) (Entered: 02/07/2011)
02/09/2011	<u>26</u>	ORDER granting <u>25</u> Motion to Appear Pro Hac Vice as to Jessica Karp. Signed by Judge Carl Barbier on 2/8/2011. (mmm,) (Entered: 02/09/2011)

02/17/2011	27	Response/Reply by Joaquin Navarro Hernandez re 23 <i>Defendant's Search Affidavit and Production</i> (Rosenbaum, Jennifer) Modified text on 2/18/2011 (sek,). (Entered: 02/17/2011)
02/24/2011	28	Minute Entry for proceedings held before Judge Carl Barbier: Status Conference held on 2/24/2011. ORDERED that the parties schedule and take all necessary depositions by March 31, 2011. FURTHER ORDERED: In Chambers Status Conference set for 4/7/2011 04:00 PM before Judge Carl Barbier. (mmm,) (Entered: 02/28/2011)
03/14/2011	29	MOTION for Protective Order by United States Customs and Border Protection Agency. Motion(s) referred to Daniel E. Knowles, III. Motion set for 3/30/2011 11:00 AM before Magistrate Knowles. (Attachments: # 1 Memorandum in Support, # 2 Exhibit A, # 3 Notice of Submission)(Dupre, Brock) Modified submission time/judicial officer on 3/15/2011 (mmm,). (Entered: 03/14/2011)
03/14/2011	30	EXPARTE/CONSENT MOTION to Expedite <i>Motion for Protective Order</i> by United States Customs and Border Protection Agency. (Attachments: # 1 Proposed Order)(Dupre, Brock) (Entered: 03/14/2011)
03/15/2011	31	Correction of Docket Entry by Clerk re 29 MOTION for Protective Order. Filing attorney selected incorrect judicial officer for submission/hearing. When setting a motion for submission/hearing there is a reminder message 'Be sure to select the correct Judge or Magistrate Judge:'. Motion is to be heard before Magistrate Knowles. Clerk took corrective action. (mmm,) (Entered: 03/15/2011)
03/15/2011	32	ORDER Setting Oral Hearing on 29 MOTION for Protective Order: Motion set for 3/30/2011 11:00 AM before Magistrate Judge Daniel E. Knowles III with oral argument. Signed by Magistrate Judge Daniel E. Knowles, III on 3/15/2011.(rll,) (Entered: 03/15/2011)
03/15/2011	33	ORDER: The automatic referral of 29 MOTION for Protective Order to Magistrate Judge Knowles is VACATED. FURTHER ORDERED: 30 MOTION to Expedite is granted. Plaintiff must file any memoranda in opposition to Defendant's Motion for Protective Order (Rec. Doc. 29) by Monday, March 21, 2011. Signed by Judge Carl Barbier on 3/15/2011.(mmm,) (Entered: 03/15/2011)
03/20/2011	34	RESPONSE/MEMORANDUM in Opposition filed by Joaquin Navarro Hernandez re 29 MOTION for Protective Order. (Rosenbaum, Jennifer) (Entered: 03/20/2011)
03/24/2011	35	ORDER denying 29 Motion for Protective Order. The depositions in this matter are to proceed as scheduled. Signed by Judge Carl Barbier on 3/23/11. (sek,) (Entered: 03/24/2011)

04/05/2011	36	ORDER: In Chambers Status Conference reset for 4/6/2011 09:00 AM before Judge Carl Barbier. Signed by Judge Carl Barbier on 4/4/2011.(mmm,) (Entered: 04/05/2011)
04/05/2011	37	EXPARTE/CONSENT MOTION to Expedite <i>Defendant's Answers to Plaintiff's Interrogatories</i> by Joaquin Navarro Hernandez. (Attachments: # 1 Pl.'s interrogatories on Def., # 2 Ex. A to Pl.'s Interrogatories on Def., # 3 Proposed Order)(Rosenbaum, Jennifer) Modified on 4/6/2011: Accepted per Chambers (mmm,). (Entered: 04/05/2011)
04/06/2011	38	Minute Order. Proceedings/Status Conference held on 4/6/2011 before Judge Carl Barbier: granting 37 Motion to Expedite Defendant's Answers to Plaintiff's Interrogatories on or before April 20, 2011. (mmm,) (Entered: 04/07/2011)
05/03/2011	39	NOTICE: Scheduling Conference set for 5/19/2011 02:45 PM before courtroom deputy by telephone, by Clerk.(mmm,) (Entered: 05/03/2011)
05/05/2011	40	ORDER cancelling Scheduling Conference. Signed by Judge Carl Barbier.(mmm,) (Entered: 05/05/2011)
05/24/2011	41	MOTION to Quash by United States Customs and Border Protection Agency. Motion set for 6/8/2011 09:30 AM before Judge Carl Barbier. (Attachments: # 1 Memorandum in Support, # 2 Exhibit, # 3 Exhibit, # 4 Notice of Submission, # 5 Request for Oral Argument)(Dupre, Brock) Modified on 5/24/2011: Request for Oral Argument docketed separately (mmm,). (Entered: 05/24/2011)
05/24/2011	42	EXPARTE/CONSENT MOTION to Expedite <i>Hearing and Incorporated Memorandum in Support of Defendant's Motion to Quash</i> by United States Customs and Border Protection Agency. (Attachments: # 1 Proposed Order)(Dupre, Brock) (Entered: 05/24/2011)
05/24/2011	43	Correction of Docket Entry by Clerk re 41 MOTION to Quash. Filing attorney attached a Request/Statement for Oral Argument to this motion instead of filing it as a separate entry. Clerk took corrective action by separating the request and docketing it as a separate entry. All future requests for oral argument must be filed separately. (mmm,) (Entered: 05/24/2011)
05/24/2011	44	Request/Statement of Oral Argument by United States Customs and Border Protection Agency regarding 41 MOTION to Quash (mmm,) (Entered: 05/24/2011)
05/26/2011	45	RESPONSE to Motion filed by All Plaintiffs re 41 MOTION to Quash. (Attachments: # 1 Exhibit Deposition of Mr. Manuel Padilla, # 2 Exhibit Def.'s Answers to Pl.'s Interrogatories)(Rosenbaum, Jennifer) (Entered: 05/26/2011)

05/27/2011	46	ORDERED that oral argument requested in the this matter regarding Defendant's Motion to Quash (Rec. Doc. 41) is CANCELLED. The Court will decide the motion on the briefs. Signed by Judge Carl Barbier on 5/25/11.(sek,) (Entered: 05/27/2011)
05/27/2011	47	ORDER granting 42 MOTION to Expedite. FURTHER ORDERED that Plaintiff must file any memoranda in opposition to Defendant's Motion to Quash 41 by 5/26/2011 at 12:00 PM; The Court will consider Defendant's Motion to Quash (Rec. Doc. 41) on the briefs at that time. Signed by Judge Carl Barbier on 5/24/11.(sek,) (Entered: 05/27/2011)
05/27/2011	48	ORDER granting 41 Motion to Quash. The two new notices of subpoenaed depositions in this matter are hereby quashed. Signed by Judge Carl Barbier on 5/27/11. (sek,) (Entered: 05/27/2011)
06/20/2011	49	MOTION for Partial Summary Judgment <i>and in camera review</i> by Joaquin Navarro Hernandez. Motion set for 7/6/2011 09:30 AM before Judge Carl Barbier. (Attachments: # 1 Memorandum in Support, # 2 Exhibit 1, # 3 Notice of Submission, # 4 Proposed Order)(Rosenbaum, Jennifer) Modified on 6/21/2011: Document Accepted As Is Per Chambers (mmm,). (Entered: 06/20/2011)
06/20/2011	50	EXPARTE/CONSENT MOTION to Expedite <i>Pl.'s Motion for Partial Summary Judgment</i> by Joaquin Navarro Hernandez. (Attachments: # 1 Proposed Order) (Rosenbaum, Jennifer) Modified on 6/21/2011: Document Accepted As Is Per Chambers (mmm,). (Entered: 06/20/2011)
06/22/2011	51	ORDER granting 50 MOTION to Expedite as to 49 MOTION for Partial Summary Judgment <i>and in camera review</i> . Motion Hearing with Oral Argument Requested, reset for 6/22/2011 09:30 AM before Judge Carl Barbier. Signed by Judge Carl Barbier on 6/20/2011.(mmm,) (Entered: 06/22/2011)
06/22/2011	52	Minute Order. Proceedings held 6/22/2011 before Judge Carl Barbier: granting 49 Motion for Partial Summary Judgment <i>and in camera review</i> : All produced documents are to be in redacted form. (Court Reporter Cathy Pepper.) (mmm,) (Entered: 06/22/2011)
07/29/2011	53	ORDER denying as moot 9 Motion for Preliminary Injunction. Signed by Judge Carl Barbier on 7/28/2011. (gec,) (Entered: 07/29/2011)
10/04/2011	54	ORDERED that Plaintiff shall file any motion for attorney's fees within the next 15 days, or any such motion filed thereafter will be deemed waived. Signed by Judge Carl Barbier on 10/3/2011.(gec,) (Entered: 10/04/2011)

10/18/2011	55	**DEFICIENT** MOTION for Attorney Fees by Joaquin Navarro Hernandez. Motion set for 11/9/2011 09:00 AM before Judge Carl Barbier. (Attachments: # 1 Memorandum in Support, # 2 Proposed Order, # 3 Affidavit Jacinta Gonzalez, # 4 Affidavit William Quigley, # 5 Affidavit Jennifer Rosenabum, # 6 Exhibit Rosenbaum Time Record, # 7 Exhibit showing transcription costs, # 8 Affidavit Jessica Karp, # 9 Exhibit Karp Time Recprds)(Rosenbaum, Jennifer) Modified on 10/19/2011 (clm,). (Entered: 10/18/2011)
10/20/2011	56	MOTION for Attorney Fees by Joaquin Navarro Hernandez. Motion set for 11/9/2011 09:30 AM before Judge Carl Barbier. (Attachments: # 1 Memorandum in Support, # 2 Proposed Order, # 3 Notice of Submission, # 4 Affidavit Jacinta Gonzalez, # 5 Affidavit William Quigley, # 6 Affidavit Jennifer Rosenbaum, # 7 Exhibit invoice for deposition costs, # 8 Exhibit Jennifer Rosenbaum's Time Records, # 9 Affidavit Jessica Karp, # 10 Exhibit Jessica Karp's Time Records) (Rosenbaum, Jennifer) Modified on 10/21/2011 (gec,). (Entered: 10/20/2011)
10/21/2011	57	Correction of Docket Entry by Clerk re 56 MOTION for Attorney Fees. Filing attorney selected incorrect time. Correct time is 9:30 AM. Clerk took corrective action. (gec,) (Entered: 10/21/2011)
10/28/2011	58	EXPARTE/CONSENT MOTION to Continue <i>Hearing Date on Plaintiff's Motion for Attorney's Fees</i> by United States Customs and Border Protection Agency. (Attachments: # 1 Proposed Order)(Dupre, Brock) (Entered: 10/28/2011)
10/31/2011	59	ORDER granting 58 MOTION to Continue <i>Hearing Date on Plaintiff's</i> 56 <i>Motion for Attorney's Fees</i> filed by United States Customs and Border Protection Agency. Motion set for 11/23/2011 09:30 AM before Judge Carl Barbier. Signed by Judge Carl Barbier on 10/28/2011.(clm,) (Entered: 10/31/2011)
11/15/2011	60	RESPONSE/MEMORANDUM in Opposition filed by United States Customs and Border Protection Agency re 56 MOTION for Attorney Fees. (Dupre, Brock) (Entered: 11/15/2011)
11/21/2011	61	**DEFICIENT** REPLY to Response to Motion filed by Joaquin Navarro Hernandez re 56 MOTION for Attorney Fees. (Attachments: # 1 Memorandum in Support Memorandum in Support, # 2 Proposed Order Proposed Order, # 3 Affidavit Affidavit of Nancy Morawetz, # 4 Affidavit Affidavit of Melissa Keaney)(Karp, Jessica) Modified on 11/22/2011 (clm,). (Entered: 11/21/2011)
11/22/2011	62	EXPARTE/CONSENT MOTION for Leave to File by Joaquin Navarro Hernandez. (Attachments: # 1 Proposed Pleading, # 2 Proposed Order, # 3 Proposed Pleading -Affidavit, # 4 Proposed Pleading -Affidavit)(Karp, Jessica) Modified on 11/23/2011 (clm,). (Entered: 11/22/2011)
11/22/2011	63	ORDER granting 62 Motion for Leave to File Reply Memorandum. Signed by Judge Carl Barbier on 11/22/2011. (caa,) (Entered: 11/22/2011)

11/22/2011	64	REPLY to Response to Motion filed by Joaquin Navarro Hernandez re 56 MOTION for Attorney Fees. (caa,) (Additional attachment(s) added on 11/23/2011: # 1 Affidavit, # 2 Affidavit) (clm,). (Entered: 11/22/2011)
11/23/2011	65	Correction of Docket Entry by Clerk re 62 MOTION for Leave to File. Filing attorney should have selected 'Yes' at the question 'Is this an Exparte/Consent Motion Y/N?'. Exparte/Consent motions are not set for hearing. Clerk has removed hearing date. (clm,) (Entered: 11/23/2011)
02/07/2012	66	ORDER AND REASONS: Order granting Plaintiff Joaquin Navarro Hernandez's 56 Motion for Attorney Fees and Costs. FURTHER ORDERED that Defendant Unites States Customs and Border Protection Agency shall remit payment to Plaintiff as stated within document. Signed by Judge Carl Barbier on 2/6/2012. (gec,) (Entered: 02/07/2012)
02/08/2012	67	JUDGMENT entered in favor of Joaquin Navarro Hernandez against United States Customs and Border Protection Agency. Signed by Judge Carl Barbier on 2/8/2012. (clm,) (Entered: 02/08/2012)

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